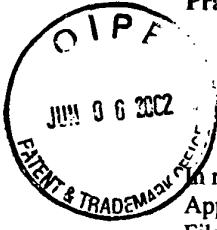


Practitioner's Docket No. 19400/09014



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yang, Baokang  
Application No.: 10/091,149  
Filed: 03/04/2002  
For: Juice Based Beverage Compositions

Group No.: 1761  
Examiner: Unknown

**Box Missing Part**  
Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)**

I hereby certify that the attached correspondence comprising:

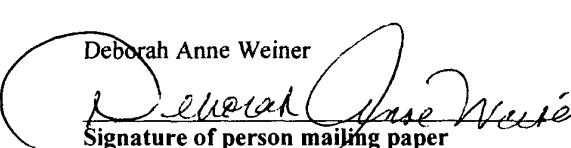
1. Fee Transmittal Sheet (1 page);
2. Notice to File Missing Parts of Nonprovisional application (1 page);
3. Completion of Filing Requirements (3 pages);
4. Combined Declaration and Power of Attorney (3 pages);
5. Assignment (Document) Cover Sheet and Assignment - (5 pages);
6. Check in the amount of \$170.00 (1 page); and
7. Return postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Box Missing Part  
Commissioner for Patents  
Washington, D.C. 20231

on May. 21, 2002.

Deborah Anne Weiner

  
Signature of person mailing paper



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ORIGINALLY FILED

**PATENT**

Practitioner's Docket No. 19400/09014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Yang, Baokang

Application No.: 10/091,149

Filed: March 4, 2002

For: Juice Based Beverage Compositions

Group No.: 1761

Examiner: Unknown

AB

**Box Missing Part**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

**COMPLETION OF FILING REQUIREMENTS  
— NONPROVISIONAL APPLICATION**

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 2, 2002.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

**DECLARATION OR OATH**

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Box Missing Part, Commissioner for Patents, Washington D.C. 20231

**37 C.F.R. § 1.8(a)**

with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Deborah Anne Weiner  
(type or print name of person certifying)

Date: May 21, 2002

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(j). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

### **COMPLETION FEES**

**III.**

**I. Surcharge Fees**

Late payment of filing fee  
and/or late filing of original  
declaration or oath  
(37 C.F.R. Section 1.16(e)) \$130.00

2. Assignment (See "ASSIGNMENT  
COVER SHEET") \$40.00

Total Completion Fees \$170.00

### **EXTENSION OF TIME**

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### **TOTAL FEE DUE**

V. The total fee due is:

Completion fees	\$170.00
Extension fee (if any)	\$0.00
Total Fee Due	\$170.00

### **PAYMENT OF FEES**

VI. Attached is a check in the amount of \$170.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

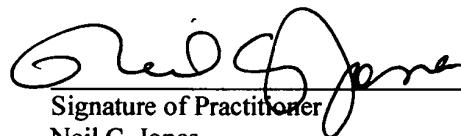
VII. The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 50-1196.

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

Date: May 21, 2002

Reg. No.: 35,561

Tel. No.: 864-250-2260



Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough

Keenan Building, Third Floor

1330 Lady Street

Columbia, SC 29201-3332

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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# FEES TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

## Complete If Known

Application Number	10/091,149
Filing Date	03/04/2002
First Named Inventor	Baokang Yang
Examiner Name	Unknown
Group Art Unit	1761
Attorney Docket No.	19400/09014 (MJ-749)

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
50-1196Deposit Account Name  
Nelson Mullins Riley & Scarborough Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$ 0.00)					

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

## Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9
102	84	202	42
104	280	204	140
109	84	209	42
110	18	210	9
SUBTOTAL (2) (\$ 0.00)			

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 170.00)	

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Neil C. Jones	Registration No. (Attorney/Agent)	35,561	Telephone (864)250-2260
Signature				Date 05/21/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/091,149	03/04/2002	Baokang Yang	19400/09014

Nelson Mullins Riley & Scarborough LLP  
Keenan Building, Third Floor  
1330 Lady Street  
Columbia, SC 29201



CONFIRMATION NO. 5923  
FORMALITIES LETTER



\*OC000000007762834\*

Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10-11 EXCE 10004-1 000111 000 149

10-11-02

10-11-02

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APR 08 2002

NELSON MULLINS  
COLUMBIA OFFICE